



General Assembly Security Council

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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED
OCCUPATION OF KUWAIT IN FLAGRANT
VIOLATION OF THE CHARTER OF THE
UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 24 June 1991 from the Permanent Representative
of Kuwait to the United Nations addressed to the
Secretary-General

On instructions from my Government and in response to the note from the Permanent Observer of the Palestine Liberation Organization (A/45/1025) of 19 June 1991, which contains allegations about the situation of Palestinians in Kuwait, I have the honour to inform you of the following:

Firstly: Throughout its history, Kuwait has been known for its respect for all those working there, citizens and residents, which makes it one of the most hospitable Arab countries. The iniquitous and questionable propaganda campaign mounted against Kuwait by those who allied themselves with the Iraqi regime and supported the aggression against Kuwait is hardly credible, as is demonstrated by the fact that, so far, none of those whose fate the Palestine Liberation Organization laments has asked to leave Kuwait. Quite the opposite, those who left Kuwait during the Iraqi occupation have asked to return.

Second: Certain foreign residents who collaborated with the Iraqi occupation authorities, including several dozen of the 160,000 Jordanians living in Kuwait, are being tried in accordance with Kuwaiti law and international instruments and rules, in the presence of the local and foreign media and of representatives of international organizations and foreign embassies.

Third: The sentences handed down against these collaborators are appropriate for acts of collaboration with the Iraqi occupation authorities, which involved the arrest of hundreds of Kuwaitis and the killing of several of them in an attempt to undermine the morale of the Kuwaiti people and prompt them to collaborate with the occupier.

Fourth: Despite the seriousness of the crimes committed and the impartiality of the verdict handed down in accordance with the martial laws currently in force in Kuwait, the latter, in its concern for justice, has set up a commission to review the sentences to make sure that they fit the charges before referring them to the court martial for approval.

Fifth: In the above-mentioned note, the Palestine Liberation Organization seeks to gloss over the fact that it supported the Iraqi occupation, notably by introducing into occupied Kuwait some 2,500 members of the so-called Arab Front for the Liberation of Palestine, who were deployed, in broad daylight, at intersections and checkpoints and helped the Iraqi forces torture, massacre and terrorize the Kuwaiti people, that same people that had had the honour of welcoming and helping the Palestinian people.

Sixth: While it is true that some of the Jordanians residing in Kuwait are of Palestinian origin, the overwhelming majority hold Jordanian passports. The Palestine Liberation Organization is not entitled, therefore, to speak on their behalf.

Seventh: Only the Jordanian and Palestinian nationals residing in Kuwait can judge the situation. Yet although they have direct access to the representatives of all the foreign media and all the humanitarian organizations present in Kuwait, they have never reported such violations. On the contrary, they have contacted senior officials to condemn this iniquitous campaign.

The propaganda campaign mounted by the offices of the Palestine Liberation Organization abroad is designed to make people forget that the PLO, far from defending the interests of the Palestinian people, has drawn it into a confrontation with the Kuwaiti people, just as it drew it into a confrontation with the Jordanian and Lebanese peoples.

I should be grateful if you would have the text of this letter distributed as a document of the General Assembly, under agenda item 153, and of the Security Council.

(Signed) Mohammad ABULHASAN
Permanent Representative



General Assembly Security Council

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24 June 1991

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GENERAL ASSEMBLY
Forty-sixth session
Item 24 of the preliminary list*
THE SITUATION IN CAMBODIA

SECURITY COUNCIL
Forty-sixth year

Letter dated 24 June 1991 from the Chargé d'affaires a.i.
of the Permanent Mission of Cambodia to the United Nations
addressed to the Secretary-General

I have the honour to enclose herewith for your information the text of a statement dated 21 June 1991 by His Royal Highness Samdech Norodom Sihanouk, President of Cambodia and President of the Cambodian National Resistance (annex I), and of a statement of the National Supreme Council of Cambodia dated 24 June 1991 (annex II).

I should be very grateful if you could have the present letter and its annexes circulated as an official document of the General Assembly, under item 24 of the preliminary list, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador
Chargé d'affaires a.i.

* A/46/50.

ANNEX I

STATEMENT BY
H.R.H. SAMDECH NORODOM SIHANOUK
OF CAMBODIA

- Bangkok, 21st June 1991 -

I am delighted to return to the glorious Kingdom of Thailand on a mission for peace in my unfortunate homeland. I pay a respectful homage to Their Majesties the King and Queen of Thailand whose boundless generosity has allowed thousands of my unfortunate compatriots to find refuge in this brotherly Kingdom.

My deepest gratitude goes also to the Royal Thai Government, the Royal Thai Army and, in particular, to the valiant people of Thailand, who have shown their solidarity and firm support for us, Khmers, during this tragic period of our existence.

Thailand has always been "in the front line" to help Cambodia and her people to obtain a fair and lasting settlement of the Cambodian problem and to allow us to recover our national independence, our territorial integrity with national reconciliation, peace, and national unity. Thailand knows perfectly well the Cambodian issue and thus shall be able to greatly assist the Cambodian factions to break the current impasse and cease the war which has already caused so much suffering and destruction to Cambodia and her people.

I am touched by the generous hospitality and splendid arrangements of the Kingdom of Thailand, allowing us to hold our meeting in Pattaya on the 24th, 25th and 26th June 1991.

As far as I am concerned, as President of the SNC meeting in Pattaya, I shall be neutral and impartial in the debates, discussions, etc... between the leaders of the Cambodian factions, members of the SNC. However, it is my duty to encourage them to be more tolerant, to show mutual respect, to be flexible and by thinking of the unspeakable sufferings of our unfortunate people, to decide to prolong the Ceasefire, and make progress constantly the Peace Process and the return of normalcy to Cambodia.

I am counting on Thailand, France, Indonesia, the UN and its Secretary General, ASEAN, Japan, Australia and the 5 Permanent Members of the UN Security Council to help me in this task.

Thank you very much.

NORODOM SIHANOUK

ANNEX II

STATEMENT OF THE
NATIONAL SUPREME COUNCIL OF CAMBODIA

The National Supreme Council of Cambodia (SNC) met in Pattaya (Thailand), on the 24th June 1991, under the very high chairmanship of H.R.H. Samdech Norodom Sihanouk and unanimously adopted the following points; while waiting for the examination of the other points inscribed in the Agenda:

1. To grant to H.R.H. Samdech Norodom Sihanouk the task of convoking the SNC of Cambodia and presiding over its future meetings.
2. To adopt the Flag and Anthem of the SNC of Cambodia, as mentioned in the proposal of H.R.H. Samdech Norodom Sihanouk, dated 22nd June 1991.

The Flags and Anthems of the different Parties are maintained until the general elections.

3. To implement the unlimited Ceasefire and to undertake to stop receiving foreign military aids as from the 24th June 1991.

The modalities of control of the United Nations will be examined during the course of further sessions of the SNC.

4. To send a delegation of the SNC, headed by H.R.H. Samdech Norodom Sihanouk, to the next session of the UN General Assembly.

Pattaya, 24th June 1991

H.R.H. Samdech NORODOM SIHANOUK
Mr. SON SANN
Mr. KHIEU SAMPHAN
H.R.H. Prince NORODOM RANARIDDH
Mr. SON SEN
Mr. IENG MOULY

Mr. HUN SEN
Mr. HOR NAM HONG
Mr. IM CHHUN LIM
Mr. SIN SEN
Mr. DITH MUNTTHI
Mr. TEA BANH



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S/22734
24 June 1991
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LETTER DATED 21 JUNE 1991 FROM THE SECRETARY-GENERAL ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to paragraph 82 of my report of 18 June 1990 on the situation concerning Western Sahara (S/21360), in which I stated that I would seek the Council's consent to the appointment of the Force Commander of the Military Unit of the United Nations Mission for the Referendum in Western Sahara (MINURSO).

I am now in a position to inform the Security Council that, having completed my consultations with the parties, I propose, with the consent of the Council, to appoint Major-General Armand Roy (Canada) as the Force Commander of the Military Unit of MINURSO.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Javier PEREZ DE CUELLAR



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24 June 1991
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ORIGINAL: FRENCH

LETTER DATED 24 JUNE 1991 FROM THE PRESIDENT OF THE SECURITY
COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 21 June 1991 (S/22734) concerning the appointment of the Force Commander of the Military Unit of the United Nations Mission for the Referendum in Western Sahara (MINURSO) has been brought to the attention of the members of the Security Council and that your proposal meets with their approval.

(Signed) Jean-Jacques BECHIO
President of the Security Council



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25 June 1991

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GENERAL ASSEMBLY
Forty-sixth session
Item 24 of the preliminary list*
THE SITUATION IN CAMBODIA

SECURITY COUNCIL
Forty-sixth year

Letter dated 25 June 1991 from the Chargé d'affaires a.i. of
the Permanent Mission of Cambodia to the United Nations
addressed to the Secretary-General

I have the honour to enclose herewith for your information the texts of statements dated 24 and 25 June 1991 of the Supreme National Council of Cambodia (annexes I and II respectively).

I should be very grateful if you could have the present letter and its annexes circulated as an official document of the General Assembly, under item 24 of the preliminary list, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador
Chargé d'affaires a.i.

* A/46/50.

ANNEX I

STATEMENT OF THE
SUPREME NATIONAL COUNCIL OF CAMBODIA

The Supreme National Council of Cambodia (SNC) met in Pattaya (Thailand), on the afternoon of 24th June 1991, under the very high chairmanship of H.R.H. Samdech Norodom Sihanouk and unanimously adopted the following points; while waiting for the examination of the other points inscribed in the Agenda:

I. To request H.R.H. Samdech Norodom Sihanouk to write on behalf of the SNC:

1. To the United Nations Secretary-General requesting the inscription of the Monuments of Angkor in the UNESCO World Heritage List;
2. To the Executive Agent of the Mekong Committee requesting the resumption of membership of Cambodia to the Mekong Committee;
3. To the World Bank and the International Monetary Fund for the sending of a SNC delegation to attend the next meeting of the World Bank and IMF in Bangkok (Thailand);
4. To the United Nations Secretary-General asking for humanitarian assistances and for the vocational training of Cambodians.

II. To set up an SNC Secretariat.

H.R.H. Samdech NORODOM SIHANOUK
Mr. SON SANN
Mr. KHIEU SAMPHAN
H.R.H. Prince NORODOM RANARIDDH
Mr. SON SEN
Mr. IENG MOULY

Mr. HUN SEN
Mr. HOR NAM HONG
Mr. IM CHHUN LIM
Mr. SIN SEN
Mr. DITH MUNTY
Mr. TEA BANH

/...

ANNEX II

STATEMENT OF THE
SUPREME NATIONAL COUNCIL OF CAMBODIA

The Supreme National Council of Cambodia met in Pattaya (Thailand) in the afternoon of 25th June 1991, under the very high chairmanship of H.R.H. Samdech Norodom Sihanouk and unanimously adopted the following points:

1. To set up the SNC headquarters in Phnom Penh, with the following facilities and guarantees:

- Members of the SNC from each party have their own residence protected by that party's forces. The forces of members of the SNC ensure the security within the compound of their residence, while the forces of the host party ensure the security outside the compound;
- The representatives of the two Co-Chairmen of the Paris International Conference on Cambodia (PICC) have their permanent mission accredited to the SNC;
- The Special Representative of the UN Secretary-General or his representative has his own permanent mission to the SNC;
- The representatives of countries participating in the PICC or the representatives of the Perm-Five as well as the representatives of the ASEAN countries have their permanent missions accredited to the SNC;

2. Pending the setting up of the SNC headquarters in Phnom Penh, to hold the next meetings of the SNC at the former Embassy of Cambodia in Bangkok (Thailand).

Pattaya, 25th June 1991



Security Council

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S/22737
25 June 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 24 JUNE 1991 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the United States Air Force continues to violate Iraqi airspace as follows:

Firstly:

1. On 20 June 1991, the United States Air Force made three sorties, carried out by one formation of two aircraft and one aircraft flying solo. The aircraft in question were flying at a speed of 700 to 900 km/h and at low or medium altitude.
2. The aircraft were engaged in surveillance and provocation operations over the regions of Mosul, Arbil and Dahuk.

Secondly:

1. Between 21 and 22 June 1991, the United States Air Force made four sorties, carried out by two formations of two aircraft each. The aircraft in question were flying at a speed of 600 to 720 km/h and at low or medium altitude.
2. The aircraft were engaged in surveillance and provocation operations over the regions of Amadiyah and Dahuk.

I should be grateful if you would have the text of this letter distributed as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative



Security Council

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S/22738
25 June 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 25 JUNE 1991 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the United States Air Force continues to violate Iraqi airspace as follows:

1. On 23 June 1991, the United States Air Force made a solo sortie. The aircraft in question was flying at medium altitude and at a speed of 600 km/h.
2. The aircraft was engaged in a surveillance and provocation operation over the Arbil region.

I should be grateful if you would have the text of this letter distributed as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative



Security Council

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S/22739
26 June 1991
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 26 JUNE 1991 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Please find attached a letter dated 26 June 1991 which has just been addressed to me by Ambassador Rolf Ekéus, Executive Chairman of the Special Commission established pursuant to section C of Security Council resolution 687 (1991). You will no doubt wish to draw the attention of members of the Security Council to this letter.

I attach also a letter dated 26 June 1991 on this same subject addressed to me by Mr. Hans Blix, Director-General of the International Atomic Energy Agency (IAEA).

(Signed) Javier PEREZ de CUELLAR

Annex I

[Original: English]

Letter dated 26 June 1991 from the Executive Chairman of the
Special Commission addressed to the Secretary-General

I regret to inform you that, on 23 and 25 June 1991, Iraqi military authorities have denied an International Atomic Energy Agency/Special Commission Nuclear Inspection Team, appointed pursuant to Part C of Security Council resolution 687 (1991), access to facilities at a designated site. The facilities concerned are within the Abu Gharaib Army Barracks, a site in Baghdad designated by the Special Commission under paragraph 9 (b) (ii) of Security Council resolution 687 (1991) and notified by it to the Government of Iraq for urgent on-site inspection in accordance with the terms of the resolution.

The inspection team in question arrived in Baghdad on Saturday, 22 June 1991, and that evening the Deputy Executive Chairman of the Special Commission, Mr. Robert Gallucci, and the representative of the Director-General of IAEA and Chief Inspector, Mr. Maurizio Zifferero, met with the Foreign Minister of Iraq to discuss Iraq's previous declaration regarding nuclear facilities and arrangements for the forthcoming inspection. After a detailed discussion, it was agreed that at 7 a.m., on Sunday, 23 June 1991, a representative of Iraq would be informed of the designation of a site and that the inspection of that site could proceed before 12 noon on the same date, despite the fact that the inspection would be taking place on a religious holiday in Iraq.

The inspection team, accompanied by an Iraqi Liaison Officer, arrived at the site about 12 noon. However, upon arrival, the local military authorities denied all access to the site, on the grounds that they had no written authorization or orders to that effect. After a discussion of about an hour, some access to the site was permitted. It was, however, denied to the locations and facilities which the team indicated it wished to inspect. The right to take photographs was in some instances prohibited and in others limited. The team was, nevertheless, able to observe that, in areas to which access was denied, considerable activity was under way, involving cranes, trucks, forklifts, other equipment and work crews.

After leaving the site on 23 June, the team leader and the representative of the Special Commission addressed a formal protest to the Minister for Foreign Affairs regarding the denial of the inspection team's rights under Security Council resolution 687 (1991) and the exchange of notes between the Secretary-General and the Foreign Minister of Iraq regarding the status, privileges and immunities of the inspection teams in Iraq. A copy of that protest is attached.

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On the evening of 24 June, Mr. Gallucci and Mr. Zifferero were invited to the Ministry for Foreign Affairs to discuss their protest. At the conclusion of the discussion, assurances were given that the problems had been resolved and that the following day unimpeded access would be given to the site.

On Tuesday, 25 June 1991, the inspection team returned to the site, but was again denied access by the military authorities on the spot to the particular facilities it wished to inspect. In the face of this denial, the Chief Inspector, Mr. Zifferero, decided to suspend further inspection activities for consultations with IAEA on how to proceed. He was authorized to perform a third inspection at the particular site.

Shortly thereafter, Mr. Zifferero was informed by the Foreign Ministry that full access would be given on the morning of Wednesday, 26 June 1991. On 26 June 1991, access to the site and to the requested facilities was finally granted to the inspection team. However, on this occasion activities which had been observed from a distance during the first visit had ceased and objects that had been seen had been removed.

The Director-General of IAEA and I have expressed our grave concern to the representatives of Iraq in New York and Vienna. You may wish to inform the President of the Security Council of the foregoing developments.

(Signed) Rolf EKEUS
Executive Chairman
Special Commission

Annex II

[Original: English]

Letter of 23 June 1991 addressed to the Minister for Foreign Affairs of Iraq by Mr. Robert Gallucci, Deputy Executive Chairman of the Special Commission and Mr. Maurizio Zifferero, Chief Inspector and Action Team Leader on behalf of the Director-General of IAEA

When we called upon you on the evening of 22 June 1991 to deliver messages from the Director-General of the International Atomic Energy Agency, Hans Blix, and Ambassador Rolf Ekéus, and to inform you of the nature of our concerns with regard to the completeness of the declarations by Iraq of its nuclear materials and facilities, you assured us of your Government's commitment to complying with the provisions of United Nations Security Council resolution 687 and that Iraq had never refused to show for inspection any site. At the conclusion of our meeting, you again assured us that, although the timing of this special commission posed considerable inconvenience, you would ensure that no problems arose with the inspection scheduled to begin on 23 June. We expressed our appreciation for the tangible contribution that you were making and the spirit of cooperation that it represented.

We regret to have to inform you that events today did not proceed either as you had indicated or in a way that meets the requirements of United Nations Security Council resolution 687. At 0700 today we presented to your representative, Dr. Suror Mahmoud, a Notification of Inspection for the establishments located at Abu Gharaib Army Barracks. This notification was acknowledged, and it was indicated that inspections could begin at 1100. While we do not wish to repeat the full details here, as they soon will be reported by the Agency to the Security Council through the Secretary-General, we were denied access for the purpose of inspection to the two areas we approached, restrained from exercising the right to take without hindrance photographs and, in one particularly disturbing case, intentionally denied prompt removal to medical care of a team member who required medical assistance. We regret to say that the only conclusions that can be drawn from today is that the information that led to this special inspection is given considerable extra credence and that Iraq in this case is not in compliance with the obligations it accepted under Security Council resolution 687.

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Annex III

[Original: English]

Letter dated 26 June 1991 from the Director-General of the
International Atomic Energy Agency (IAEA) addressed to the
Secretary-General

I know that the Chairman of the Special Commission is reporting to you on the inspection that the Agency is performing in Iraq with the assistance and cooperation of the Special Commission, and there have been consultations with us about the contents of his report.

I confirm that after the second denial and restrictions of access to the Abu Gharaib Army Barracks, which occurred on Tuesday, 25 June 1991, the Chief Inspector, Mr. Zifferero, suspended further inspection activities for consultations with us. Shortly thereafter, Mr. Zifferero was informed by the Foreign Ministry that complete and unimpeded access would be given to the Agency Inspection Team on the morning of Wednesday, 26 June 1991. He was therefore authorized by me to perform a third inspection with the Team at the particular site.

Today, Wednesday, 26 June, the new visit took place in the morning at the Abu Gharaib Army Barracks. There were now no restrictions of access but also no longer any trace of the activities and objects which the Inspection Team had observed from a distance during the first visit of the site on Sunday, 23 June 1991.

Mr. M. Zifferero has now been instructed to return to Vienna as soon as possible, leaving the rest of the Team in Iraq to continue inspections. Mr. Zifferero, in his capacity as Chief Inspector, is preparing a report of his own on the inspection of the Abu Gharaib Army Barracks and the denial and restrictions of access that his Team encountered at that site. This report will be forwarded to you promptly. Meanwhile I trust you will make the information contained in the report of the Chairman of the Special Commission and in this letter available as appropriate to the members of the Security Council.

(Signed) Hans BLIX



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GENERAL ASSEMBLY
Forty-sixth session
Item 24 of the preliminary list*
THE SITUATION IN CAMBODIA

SECURITY COUNCIL
Forty-sixth year

Letter dated 26 June 1991 from the Chargé d'affaires a.i. of
the Permanent Mission of Cambodia to the United Nations
addressed to the Secretary-General

I have the honour to enclose herewith, for your information, the Final Communiqué, of the meeting of the Supreme National Council of Cambodia, held from 24 to 26 June 1991 at Pattaya (Thailand) (see annex).

I should be very grateful if you could have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 24 of the preliminary list, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador
Chargé d'affaires a.i.

* A/46/50.

ANNEX
FINAL COMMUNIQUE
OF THE MEETING OF THE SUPREME NATIONAL COUNCIL
OF CAMBODIA IN PATTAYA (THAILAND)

- June 24-26, 1991 -

* * *

I. The Supreme National Council (SNC) of Cambodia held a meeting in Pattaya (Thailand) from 24 to 26 June 1991, under the very high chairmanship of H.R.H. Samdech Norodom Sihanouk, with the participation of the Representatives of the two Co-Chairmen of the PICC and the Special Representative of the UN Secretary-General, and has come to unanimous agreements as set out in successive SNC communiqués already issued. These agreements are as follows:

- 1/- to grant H.R.H. Samdech Norodom Sihanouk the task of convoking the SNC of Cambodia and presiding over its future meetings.
- 2/- to adopt the Flag and Anthem of the SNC of Cambodia, as mentioned in the proposal of H.R.H. Samdech Norodom Sihanouk dated June 22, 1991. The Flags and Anthems of the different Parties are maintained until the general elections.
- 3/- to implement the unlimited cease-fire and to undertake to stop receiving foreign military aids as from the 24th June 1991. The modalities of control of the United Nations will be examined during the course of further sessions of the SNC.
- 4/- to send a delegation of the SNC, headed by H.R.H. Samdech Norodom Sihanouk, to the next session of the UN General Assembly.

/...

- 5/- to request H.R.H. Samdech Norodom Sihanouk to write on behalf of the SNC:
- a) to the United Nations Secretary-General requesting the inscription of the Monuments of Angkor in the UNESCO World Heritage List;
 - b) to the Executive Agent of the Mekong Committee requesting the resumption of membership of Cambodia to the Mekong Committee;
 - c) to the World Bank and the International Monetary Fund for the sending of a SNC delegation to attend the next meeting of the World Bank and IMF in Bangkok (Thailand);
 - d) to the UN Secretary-General asking for humanitarian assistances and for the vocational training of Cambodians.
- 6/- to set up a SNC Secretariat.
- 7/- to set up the Headquarters of the SNC in Phnom Penh, with the following facilities and guarantees:
- Members of the SNC from each party have their own residence protected by that party's forces. The forces of members of the SNC ensure the security within the compound of their residence, while the forces of the host party ensure the security outside the compound;
 - The representatives of the two Co-Chairmen of the Paris International Conference on Cambodia (PICC) have their permanent missions accredited to the SNC;
 - The Special Representative of the UN Secretary-General or his representative has his own permanent mission to the SNC;
 - The representatives of countries participating in the PICC or the representatives of the Perm-Five as well as the representatives of the ASEAN countries have their permanent missions accredited to the SNC.
- 8/- pending the setting up of the SNC Headquarters in Phnom Penh, to hold the next meeting of the SNC at the former Embassy of Cambodia in Bangkok (Thailand).
- 9/- to request H.R.H. Samdech Norodom Sihanouk to write to the UN Secretary-General to inform him of the Flag and Anthem of the SNC of Cambodia.

10/- to set up Working Groups to study the following items:

- Rules of procedure of the SNC;
- Electoral laws;
- Principles of the new Constitution of Cambodia.

II. This achievement of outstanding significance cannot be reached without the wisdom, tact and moral influence that H.R.H. Samdech Norodom Sihanouk has once again conspicuously displayed during the deliberations of the SNC meeting and without His Peace Plan of June 22, 1991. This fact clearly and unquestionably confirms the spirit of national reconciliation among all Cambodians within the framework of an independent, neutral and sovereign Cambodia.

III. The remaining issues will be discussed in the next meetings of the SNC.

IV. The SNC wishes to take this propitious opportunity to express its warmest gratitude to His Majesty the King and Her Majesty the Queen of the Kingdom of Thailand, H.E. Mr. Anand Panyarachun, Prime Minister of the Royal Thai Government and all other Thai officials without whose generous assistance and hospitality this SNC meeting could not have been crowned with this success. The Cambodian nation and people remain profoundly indebted to the Kingdom of Thailand for her generosity, compassion and tremendous efforts she has made for the Cambodian national cause.

V. The SNC also expresses its gratitude to all friendly countries and governments the world over who have unfailingly contributed to the search for the settlement of the Cambodia conflict over the last 12 years. The results achieved at this current meeting of the SNC cannot be separated from their long and persistent endeavors.

The SNC also addresses its gratitude to the two Co-Chairmen of the PICC and the UN Secretary-General as well as to their representatives for their co-operation.

The SNC expresses its gratitude to the Five Permanent Members of the UN Security Council for all the efforts and initiatives and to all countries participating in the PICC for their continuing concern over the plight of the Cambodian nation and people.

Done in Pattaya (Thailand), on June 26, 1991

/...

The 12 Members
of the Supreme National Council of Cambodia

H.R.H. Samdech NORODOM SIHANOUK
H.E. Mr. DITH MUNTY
H.E. Mr. HOR NAM HONG
H.E. Mr. HUN SEN
H.E. Mr. IENG MOULY
H.E. Mr. IM CHHUN LIM
H.E. Mr. KHIEU SAMPHAN
H.R.H. Prince NORODOM RANARIDDH
H.E. Mr. SIN SEN
H.E. Mr. SON SANN
H.E. Mr. SON SEN
H.E. Mr. TEA BANH



Security Council

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S/22741
26 June 1991
ENGLISH
ORIGINAL: ARABIC

Letter dated 26 June 1991 from the Permanent Representative of
Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government and with reference to the letter addressed to you by the Permanent Representative of Iran (S/22706), I have the honour to inform you that the Iranian Government has sought to take advantage of the situation created by the coalition forces' aggression against Iraq to once again interfere in Iraq's internal affairs, so as to carry out its expansionist plans and put into effect its slogans calling for the export of the revolution. To that end, Iran has repeatedly violated the provisions of the cease-fire between the two countries, has directly supported troublemakers and saboteurs inside Iraq, has mounted infiltration operations into Iraq, has disseminated false reports about the internal situation in Iraq, has summarily executed Iraqi soldiers inside Iraq even though they had their hands tied, and has brainwashed Iraqi prisoners detained in Iran and then sent them back to Iraq to conduct sabotage operations, all of this in contravention of the Third Geneva Convention of 1949 and in contradiction to its own statements of acceptance of Iraq's peace initiatives aimed at settling the conflict between the two countries in accordance with Security Council resolution 598 (1987) and under United Nations auspices.

In the notes it has sent to the Security Council (S/22364, S/22371, S/22439, S/22451, S/22465, S/22502, S/22547, S/22555, S/22583 and S/22699), Iraq has demonstrated incontrovertibly, with evidence to support its claim, that the Iranian Government is implicated in sabotage operations against certain governorates in southern Iraq.

The Government of my country is convinced that the lies put about by Iran's leaders will no longer deceive anyone. In fact, the Iranian Government is, as usual, trying to cover up its repeated violations of the cease-fire and its blatant interference in Iraq's internal affairs by spreading totally false information intended to conceal actions which contradict its claims to observe good-neighbourly relations and United Nations principles.

The Iraqi Government simply reiterates that, contrary to the allegations of the Iranian Government and its alleged concern for the safety of Iraqi citizens, the inhabitants of the cities and governorates where law and order

S/22741
English
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have been established have absolutely no reason to fear for their lives, their property or their legal rights. The Iranian Government would do better to mind its own business and the interests of its own population, instead of meddling in other countries' internal affairs.

Iran has already tried out its policy of exporting the revolution, with tragic results throughout the region, and the Iraqi people are quite capable of defending both themselves and the borders, sovereignty and dignity of their country, Iraq.

The Republic of Iraq warns the Iranian Government against any return to its earlier, totally unsuccessful practices, namely its policy of interfering in Iraq's internal affairs under cover of idle pretexts and pseudo-Islamic slogans.

I should be grateful if you would have the text of this letter distributed as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative



Security Council

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GENERAL

S/22742
26 June 1991

ORIGINAL: ENGLISH

LETTER DATED 26 JUNE 1991 FROM THE PERMANENT REPRESENTATIVE
OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to enclose herewith the text of the note verbale No. 598/5644 of 17 June 1991 from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of the Republic of Iraq in Tehran.

It will be highly appreciated, if this letter and its annex were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

Annex

Note verbale dated 22 June 1991 from the Ministry of Foreign
Affairs of the Islamic Republic of Iran addressed to the
Embassy of the Republic of Iraq in Tehran

The Ministry of Foreign Affairs of the Islamic Republic of Iran presenting its compliments to the Embassy of the Republic of Iraq in Tehran, hereby informs:

According to reports by the Armed Forces of the Islamic Republic of Iran, about 125 Iraqi boats navigate and engage in fishing every day in the Waterway belonging to Iran and Iraq opposite Khorramshahr and Abadan.

As the respected Embassy is aware, according to "Tehran Agreement" of 6 January 1991 signed by the Islamic Republic of Iran, the Republic of Iraq and the United Nations Iran-Iraq Military Observer Group (UNIIMOG), in which upon the request and insistence of the Republic of Iraq the resumption of navigation in and exploitation of this Waterway became contingent upon a subsequent agreement because of the dangers prevailing during the crisis in the Persian Gulf, the navigation of Iraqi boats without prior notice is a violation of the terms of cease-fire.

It is evident that in the framework of the mutual sovereignty over this Waterway in accordance with the Treaty Concerning the State Frontier and Neighbourly Relations Between Iran and Iraq, the two countries can, at an agreed date, begin navigation, dredging and any other common use of the Waterway. In this connection, the Islamic Republic of Iran is prepared, as of this date, to cooperate and adopt necessary measures with respect to restoration of the Common Bureau of Coordination.



Security Council

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28 June 1991
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 28 JUNE 1991 FROM THE SECRETARY-GENERAL ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

I am transmitting to you herewith a letter dated 28 June 1991 which Ambassador Rolf Ekéus, Executive Chairman of the Special Commission established under section C of Security Council resolution 687 (1991), has just sent me. You will no doubt wish to bring this letter to the attention of the members of the Security Council.

(Signed) Javier PEREZ de CUELLAR

Annex

[Original: English]

Letter dated 28 June 1991 from the Executive Chairman of the
Special Commission addressed to the Secretary-General

I write to inform you that on Friday, 28 June 1991, the Iraqi military authorities denied an International Atomic Energy Agency/United Nations Special Commission team immediate access to a site designated for inspection by the Special Commission under paragraph 9 of Security Council resolution 687 (1991). The circumstances are described below.

The inspection team, under its Acting Chief Inspector, Mr. David Kay, and accompanied by an Iraqi Liaison Officer, proceeded to a military transportation facility situated east of Fallujah on the morning of 28 June. On arrival at the site, Mr. Kay presented the formal notification of the site to be inspected to his escorts. At that time he also requested that there should be no movement whatsoever of transport or equipment from the site pending the inspection.

While awaiting for permission to enter, the team observed vehicles within the compound loaded with the objects which they specifically desired to inspect under the terms of the Security Council resolution. After some minutes, drivers were seen moving quickly to the vehicles which then began leaving the facility through an exit to the south.

A small number of the team members were directed by the team leader towards that exit to observe and photograph the vehicle movements. At that time the Iraqi military fired small arms into the air and efforts were made to seize the cameras. These actions took place despite the fact that all team members were clearly identifiable as United Nations personnel and that the vehicle was painted white and carried United Nations markings.

Although the team did not gain access to the site, they were able to take photographs of the vehicles and their cargoes leaving the site. After the departure of the vehicles, the team returned to the area of the main gate. The camp commander appeared and stated that while he would like to allow the team to enter, he had no orders to do so. The Acting Chief Inspector responded by stating that he had no option but to report to his superiors that the team had been denied immediate access to the site, that equipment had been removed contrary to his request, and that he had been obstructed from carrying out his duties in accordance with the Security Council resolution. He particularly and strongly protested the use of firearms.

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I have informally relayed the above information to the President of the Security Council.

(Signed) Rolf EKEUS
Executive Chairman
Special Commission



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28 June 1991

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations of the Council, the President of the Security Council issued the following statement on behalf of the members of the Council on 28 June 1991:

"The members of the Security Council have considered the Secretary-General's report on his mission of good offices in Cyprus. They are unanimous in reiterating their full support of his current efforts.

"The members of the Council recall that they had urged all concerned to cooperate with the Secretary-General and to continue the discussions with a view to resolving without delay the outstanding issues. They regret that, despite the Secretary-General's effort, the necessary progress has not yet been made on these outstanding issues.

"The members of the Council endorse the Secretary-General's view that a high-level international meeting, if properly prepared and of adequate duration, could give his effort the necessary impetus and achieve an agreed outline of an overall settlement. They agree with the Secretary-General's judgement that before such a meeting could be held the two sides should be within agreement range on all the issues. They urgently appeal to all concerned to spare no efforts to achieve this goal.

"The members of the Council further endorse the Secretary-General's intention to have his aides meet with all concerned during the months of July and August to try to work out a set of ideas that would bring the two sides within agreement range on each of the eight headings of the outline. The members of the Council request the Secretary-General to pursue these consultations urgently and to assist this process by making suggestions.

"The members of the Council request the Secretary-General to provide a full report to the Council by the end of August on the substance of the ideas that were discussed and the responses of all concerned, and to

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provide his assessment of the situation, particularly with regard to whether the conditions are conducive to a successful outcome of a high-level international meeting."



General Assembly Security Council

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A/46/278
S/22745
28 June 1991

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-sixth session
Item 60 (b) of the preliminary list*
GENERAL AND COMPLETE DISARMAMENT:
INTERNATIONAL ARMS TRANSFERS

SECURITY COUNCIL
Forty-sixth year

Letter dated 28 June 1991 from the Permanent Representative of
Italy to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a note concerning the legal constraints and political guidelines of the Italian arms exports policy (see annex).

I shall be grateful if you would kindly circulate this letter and its annex as an official document of the General Assembly, under item 60 (b) of the preliminary list, and of the Security Council.

(Signed) Vieri TRAXLER
Ambassador

* A/46/50.

ANNEX

Italian arms exports: legal constraints and
political guidelines

In its arms export policy, Italy abides by the principle enshrined in article 11 of its Constitution: "Italy rejects war as an instrument of offence against the freedom of other peoples and as a means of solving international disputes".

In 1990 the national system monitoring armaments exports was reviewed by Parliament. Law No. 185 of 9 July 1990 established a new and complex political-administrative control system on the exports, imports and transit of armament matériel, including dual-use equipment mainly employed for military purposes, as specified in a list, whose main categories are indicated in article 2 of the law.

A general prohibition applies to the production and export of chemical, biological and nuclear weapons and related technology.

The law establishes the following main export criteria: coherence with international commitments (United Nations, European Community, North Atlantic Treaty Organization); fight against terrorism; maintenance of friendly relations with other countries; repression of illicit arms trade. More specifically, law No. 185/90 explicitly prohibits the sale of arms to countries engaged in armed conflicts not consistent with Article 51 of the Charter of the United Nations; in the case of embargoes against countries that are recognized to be responsible of violating international Conventions on human rights; or countries recipient of Italian development aid that allocate to their defence budgets resources beyond their defence needs.

An Interministerial Committee presided over by the Prime Minister is the highest body administering export licences, while the main responsibility rests with the Minister for Foreign Affairs.

In August 1990, the Interministerial Committee issued the political guidelines for the application of the law. In particular, in addition to the explicit legal constraints, appropriate caution should be exercised when licensing arms exports in cases of external or internal tensions which could lead to regional instabilities and threaten peace. Indications were given on how to interpret the above-mentioned legal constraints.

Controls: all producers of armament matériel must register with the Ministry of Defence.

Before negotiating foreign contracts, exporters must apply for authorization to the Ministries of Foreign Affairs and of Defence, indicating precisely the object and parties to the contract.

Conditions for the authorization of the final export include coherence with the negotiation proposals previously authorized, submission of the relevant contract, end-user certificate reliability.

Completion of export operations must be proven to the Ministry of Foreign Affairs.

Relevant financial transactions are controlled by the Ministry of Treasury. Customs controls are the responsibility of the Finance Ministry.

Criminal sanctions: for false statements/indications; unauthorized exports to other recipients; imprisonment terms can reach 12 years, and the financial sanctions 30 per cent of the value or 500 million lire.



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28 June 1991

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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 2996th meeting on 28 June 1991, in connection with the Council's consideration of the item entitled "The situation between Iraq and Kuwait":

"The members of the Security Council have learnt with grave concern of an incident which occurred today when the Iraqi military authorities denied a joint IAEA/Special Commission Nuclear Inspection Team immediate and unimpeded access to a site designated for inspection by the Special Commission under paragraphs 9 and 13 of Security Council resolution 687 (1991). In the course of this incident, the Iraqi military did not comply with a request by the Acting Chief Inspector that there should be no movement of transport or equipment pending inspection. The Iraqi military fired small arms into the air when members of the Team were endeavouring to photograph loaded vehicles leaving the site. This incident followed earlier incidents on 23 and 25 June 1991 when the Iraqi military authorities denied the Nuclear Inspection Team access to certain facilities at another designated site.

"On 26 June 1991, the Security Council held a meeting to consider the incidents of 23 and 25 June at which time the Permanent Representative of Iraq confirmed that Iraq had accepted Security Council resolution 687 (1991) and was doing its best to implement all the requirements and obligations imposed on it by the resolution. He further asserted that Iraq was cooperating with all United Nations missions, including the Special Commission. The President subsequently conveyed the Council's serious concern regarding the incidents to the Government of Iraq.

"The members of the Council strongly deplore the incidents of 23, 25 and 28 June, and in this connection condemn the conduct of the Iraqi authorities. All these incidents constitute flagrant violations of Security Council resolution 687 (1991) and of the undertakings contained in the exchange of letters between the Secretary-General of the United Nations and the Foreign Minister of Iraq governing the status, privileges

and immunities of the Special Commission and of the Inspection Teams mandated under the Security Council resolution. Furthermore, these incidents demonstrate Iraq's failure to abide by its solemn undertakings to comply with all the provisions of Security Council resolution 687 (1991).

"The members of the Security Council have decided to ask the Secretary-General to send a high-level mission to Baghdad immediately to meet with the highest levels of the Iraqi Government to convey the Council's urgent demand for unequivocal assurances that the Government will take all necessary measures to ensure that no hindrances are placed in the way of the discharge of the Special Commission's mandate and that it will accord full cooperation, including immediate and unimpeded access, to the inspection teams in compliance with Iraq's obligations and commitments vis-à-vis the United Nations and the IAEA. The members of the Council have also stressed that the Government must furnish the high-level mission with unconditional guarantees for the safety and security of all personnel engaged in the performance of functions in connection with Security Council resolution 687 (1991). The mission, composed of the Director-General of the International Atomic Energy Agency (IAEA), the Executive Chairman of the Special Commission and the Under-Secretary-General for Disarmament Affairs, will depart New York this evening, 28 June 1991.

"At this time, the members of the Council call upon Iraq to grant the IAEA/Special Commission Nuclear Inspection Team currently in Iraq immediate and unimpeded access to the objects which the Team had endeavoured to inspect on 28 June 1991 and any other site deemed necessary.

"The members of the Security Council request the high-level mission to report to it at the earliest opportunity, through the Secretary-General, on the results of its meetings with the highest levels of the Iraqi Government and, in particular, on such further undertakings by the Government to ensure compliance at all levels, including local military and civilian authorities, with Iraq's obligations under Security Council resolution 687 (1991).

"The members of the Council wish to make it clear that the Council remains seized of this matter and that any recurrence of non-compliance would have serious consequences.

"The members of the Council reiterate their views expressed in resolution 687 (1991) of the threat that all weapons of mass destruction pose to peace and security in the Middle East and of the need to work towards the establishment in the Middle East of a zone free of such weapons."
